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MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.			DUNN, MISHAWN N	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 2-5, 8-12, 14, and 15 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2, 4, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young (US Pat. No. 5,727,060) in view of Delpuch et al. (US Pat. No. 5,448,568).

4. Consider claim 2. Young teaches a receiver apparatus for a digital signal comprising: a receiver which receives a plurality of programs with discrimination information and guide information regarding said plurality of programs; a selector which selects a program from said plurality of programs received by said receiver based on the discrimination information; a data former which forms guide information regarding the selected program from the received guide information regarding said plurality of programs, the formed guide contents of the selected program; and an output device which outputs the selected program and the formed guide information in a plurality of data packets (col. 17, line 13 - col. 18, line 63; figs. 1, 21, and 22A-B).

Young does not teach wherein said plurality of programs are time-division multiplexed into a plurality of data packets and said guide information indicates the identification information of packets of the plurality of programs and the contents of said plurality of programs.

However, Delpuch et al. teaches plurality of programs are time-division multiplexed into a plurality of data packets and said guide information indicates the identification information of packets of the plurality of programs and the contents of said plurality of programs (abstract).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to time-division multiplex plurality of programs into a plurality of data packets and guide information that indicates the identification information of packets of the plurality of programs and the contents of plurality of programs, in order to reliably and conveniently access programs.

5. Consider claim 4. Young teaches a receiver apparatus according to claim 2, wherein said formed guide information indicates at least a title of said selected program (fig. 1).

6. Consider claim 8. Young teaches a receiver apparatus according to claim 2, wherein said formed guide information indicates at least a start-time of the selected program (fig. 1).

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7. Claims 3, 5, 9-12, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Young (US Pat. No. 5,727,060) in view of Delpuch et al. (US Pat. No. 5,448,568) in view of Arai et al. (US Pat. No. 5,671,095).

8. Consider claim 3. Young teaches a receiver apparatus for a digital signal comprising: a receiver which receives a plurality of programs with discrimination information and guide information regarding said plurality of programs, a selector which selects a program from said plurality of programs received by said receiver based on the discrimination information; a data former which forms guide information regarding the selected program from the received guide information regarding said plurality of programs, the formed guide information indicating the contents of the selected program; an output/input device which outputs/inputs the selected program and the formed guide information; an input device which inputs said selected program and said formed guide information reproduced by the recording/reproducing device; and a decoder which decodes a program, wherein the program selected by said selector is decoded based on said guide information received by said receiver, and said selected program inputted by said output/input device is decoded based on said formed guide information inputted by said output/input device (col. 17, line 13 - col. 18, line 63; figs. 1, 21 and 22A-B).

Young does not teach wherein said plurality of programs are time-division multiplexed into a plurality of data packets and said guide information indicates the identification information of packets of the plurality of programs and the contents of said plurality of programs.

However, Delpuch et al. teaches plurality of programs are time-division multiplexed into a plurality of data packets and said guide information indicates the identification information of packets of the plurality of programs and the contents of said plurality of programs (abstract).

Young. nor Delpuch et al., teach a change-over circuit which selects and outputs the program selected by said selector or the selected program inputted by said output/input device.

However, Arai et al. teaches a change-over circuit which selects and outputs the program selected by said selector or the selected program inputted by said output/input device (col. 9, line 17 – col. 10, line 55).

Therefore, it would have been obvious to one with ordinary skill in the art, at the time the invention was made to use, to time-division multiplex plurality of programs into a plurality of data packets and guide information that indicates the identification information of packets of the plurality of programs and the contents of plurality of programs and a change-over circuit which selects and outputs the program selected by said selector or the selected program inputted by said output/input device, in order to reliably and conveniently access programs.

9. Consider claim 5. Young teaches a receiver apparatus according to claim 3, wherein said formed guide information indicates at least a title of said selected program (fig. 1).

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10. Consider claim 9. Young teaches a receiver apparatus according to claim 3, wherein said formed guide information indicates at least a start-time of the selected program (fig. 1).

11. Consider claim 10. Young teaches a receiver apparatus according to claim 3, further comprising: a display which displays said selected program decoded by said decoder (col. 17, lines 28-30; figs. 22A-B).

12. Claims 11, 12, 14, and 15 are rejected using similar reasoning as the corresponding claims above.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MISHAWN DUNN whose telephone number is (571)272-7635. The examiner can normally be reached on Monday - Friday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MISHAWN DUNN/  
Examiner, Art Unit 2621  
October 30, 2008

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